

EXHIBIT 3

1 to the Red Cross in Waltham. Did something
2 happen along the way that caused you to stop?

3 A. My car stopped moving.

4 Q. Where, if you recall, did your car stop moving?

5 A. I had just passed a Natick sign, "Entering
6 Natick."

7 Q. What did you do when your car stopped?

8 A. It didn't stop. I said that I noticed that
9 there were no lights on the dash. I put my
10 foot on the gas. I realized it was moving
11 because I was going downhill. But, there was
12 no gas going to the engine. It wasn't running,
13 basically.

14 Q. So you say you noticed there were no lights on
15 the dash and you were going downhill. How long
16 did you travel in this fashion for?

17 A. Two minutes.

18 Q. Then what happened?

19 A. I pulled over as far as I could, which was out
20 of traffic completely. I tried it again to see
21 if it would start because I thought it was a
22 fluke or something. It would not start. I
23 started searching for my cell phone, which I
24 couldn't find.

1 Q. Were you able to restart the car?

2 A. No, I wasn't.

3 Q. The car, you say, was on the side of the road
4 facing which direction?

5 A. I was going on the proper side of the road, the
6 right side of the road, off of the road. There
7 was like a cemented little path there where
8 people pull off. I have not been able to find
9 it since then, but I know that it's there
10 because I used to see it when I was going to
11 Regis. I got there. I looked for my cell
12 phone. Unable to locate it, I made the
13 assumption that I left it at home on the table.
14 So I decided to get out of the car and stand on
15 the side, on the passenger side. Several
16 people stopped and offered use of their cell
17 phone to call AAA. Everyone was very nice.

18 Q. In fact, did you have AAA service, the card, a
19 member --

20 A. Yes, of course I do.

21 Q. Did you call AAA?

22 A. Yes, I did.

23 Q. Do you remember what time you called?

24 A. No, I don't. But, I'm sure they have a record

1 of it.

2 Q. After you used the phone, did you stay outside
3 or did you get back inside the car?

4 A. No. I stayed outside.

5 Q. Do you remember what direction -- you said you
6 pulled on the side of the road. Do you
7 remember what direction you were heading in?

8 A. Towards Waltham.

9 Q. You were on Route 30 at this point?

10 A. Yes.

11 Q. Heading towards Waltham away from Framingham?

12 A. Yes.

13 Q. What happened next?

14 A. I was peacefully waiting for the arrival of
15 AAA. They said they would put a priority on it
16 since I was on Route 30. A woman drove up,
17 driving in the opposite direction, and asked if
18 I was okay. I told her, yes, I was fine, that
19 AAA was on the way. She informed me that she
20 had telephoned the police because she noticed I
21 was slumped -- she thought I was slumped in the
22 car and may have been hurt.

23 Q. Let's stop you right there. When you say
24 "slumped," you said you were outside the car,

1 though?

2 A. I know, I wasn't. I don't know when she saw
3 me.

4 Q. Were you, at any point in time --

5 A. I was looking for my cell phone.

6 Q. The question is, at any point in time, were you
7 slumped over the wheel of the car?

8 A. No.

9 Q. So this woman said to you --

10 A. Made the assumption.

11 Q. -- she thought you were slumped over the car?

12 A. She said it appeared that I looked like I was
13 hurt, and she telephoned the police to tell
14 them.

15 Q. What did you say, if you recall, at that point?

16 A. I said, "No. I'm perfectly fine. I was
17 looking for my cell phone." She said that she
18 would notify the police that I was fine.

19 Q. What happened next?

20 A. The next thing I know, the police showed up.

21 Q. The police showed up. Cruiser, marked cruiser,
22 unmarked cruiser?

23 A. No. It was a marked cruiser.

24 Q. Marked cruiser. Do you remember what

1 department it was?

2 A. It was Wayland Police. She told me that she
3 called Wayland Police.

4 Q. Who arrived from the Wayland Police?

5 A. I didn't know his name at the time, but it was
6 Sergeant Sauro.

7 Q. What did Sergeant Sauro do when he arrived?

8 A. He proceeded to look every place, but at me.

9 Q. Tell us exactly what he did?

10 A. He got out of his car, walked around my car.

11 Q. Are you on the inside of the car or the
12 outside?

13 A. I already told you that I was standing outside.

14 Q. I'm just trying to get your testimony as to
15 what happened --

16 A. I have not moved. I am standing outside.

17 Q. So you're outside. Where in relation to your
18 car are you standing?

19 A. I'm on the ground, dirt, not snow, not
20 anything. I'm on grassy dirt.

21 Q. You're standing on the passenger side of your
22 car?

23 A. Passenger side of my car.

24 Q. You say Officer --

1 A. Not exactly next to it.

2 Q. What does Officer Sauro do; describe for us --

3 A. While I was talking to him, explaining that I
4 had been looking for my phone, he immediately
5 just went over and ripped open my door.

6 Q. Which door?

7 A. Passenger side door.

8 Q. What did he do?

9 A. Proceeded to reach into the crevice and said,
10 "Here's your phone."

11 Q. What happened next?

12 A. He said, "Move the car. It's going to be
13 towed."

14 Q. What did you say?

15 A. I said, "How am I supposed to move the car if
16 it doesn't start?"

17 Q. What happened next?

18 A. He said, "You just won't have power steering.
19 The car can be moved."

20 Q. What did you say?

21 A. I didn't say anything because he immediately
22 went to his radio and started calling to have
23 it towed.

24 Q. Did you say anything else at that particular

1 point to the officer?

2 A. I don't recall saying anything else because he
3 had walked away from me and wasn't listening to
4 me anyway. That was my perception.

5 Q. I'm asking you, though, your best memory as to
6 what you said and what he said at that point?

7 A. I basically told you, to my recollection, what
8 he said.

9 Q. Anything else that you remember the
10 conversation between you and Officer Sauro at
11 that point?

12 A. I don't recall. There probably was more.

13 Q. I'm asking what your memory of the other
14 conversation was?

15 A. At this point, it's a little blurry as to what
16 he said because traumatic events occurred
17 during that point.

18 Q. I'm just asking your best memory as to what
19 else was said between you and Officer Sauro?

20 A. I told you what I can recall.

21 Q. At this point --

22 A. At this point, I can't recall more than that,
23 but I'm sure there was more.

24 Q. I'm asking you, and I think we're entitled to

1 know, if there is anything else you can recall
2 as to the conversation as you sit here today
3 between you and Officer Sauro?

4 A. Did I just answer that?

5 MR. FISCHER: I think she just
6 answered that.

7 Q. (By Mr. Silverfine): Is there anything
8 impeding your memory today as you sit here?

9 A. Like what?

10 Q. That's what I'm asking you. Is there anything
11 interfering with your memory today? Are you on
12 medication?

13 A. No, I'm not.

14 Q. Did you take any alcohol or drugs in the last
15 24 hours?

16 A. No. I just told you I don't drink.

17 Q. I am asking you, is there anything that would
18 interfere with your ability to remember any
19 further conversation between you and
20 Officer Sauro on February 6, 2002?

21 A. No chemically, medically anything. Maybe
22 traumatically, I am blanking on a lot of
23 things. But, no chemicals, medicine, anything
24 like that is preventing me from remembering.

1 anything, except that all I can do is see his
2 movements.

3 Q. What happened after you say Officer Sauro went
4 back to his vehicle?

5 A. I opened the door.

6 Q. Which door?

7 A. The driver's side door was -- he did tell me to
8 do that because when I asked him, how was I
9 supposed to move the car -- I tried to push.

10 Q. When you say you tried to push it, what did you
11 do?

12 A. I tried to push it.

13 Q. What did you do, though? When you say you
14 tried to push it, what did you do? Describe
15 for us what you did?

16 A. I already said that I opened the door. I think
17 I got in the car. I don't know -- realizing
18 that I couldn't start it, I got back out of the
19 car. I didn't know how I was going to push
20 this car.

21 Q. You say you got back out of the car after you
22 got in?

23 A. Yes.

24 Q. Did you have any further conversation with

1 Officer Sauro when you got out of the vehicle?

2 A. Why do you keep asking me that? I already
3 explained that he was already on the radio
4 calling to have the car towed.

5 Q. My question was, did you have any further
6 conversations after you got in the car and got
7 out of the car between you and Officer Sauro
8 once you got out of the car?

9 A. Not that I can recall.

10 Q. What did you do next after you got out of the
11 car?

12 A. Tried to figure out a way to move the car.

13 Q. What did you do?

14 A. To tell the truth, I really don't know.

15 Q. You don't know, is that your testimony today?

16 A. Specifically, I can't tell you the steps that I
17 went through to move the car. I remember
18 putting my hand on the side of the door, the
19 side where you close the door. But, that
20 wasn't going to work because I had to steer the
21 car. I tried a number of different ways.

22 Q. What else did you do?

23 A. Finally got it moving.

24 Q. How did you get it moving?

1 A. I don't recall exactly how I got it moving,
2 except by pushing.

3 Q. Where did you push the car?

4 A. Holding onto that -- where the windows joined.
5 It was a four door, so that little piece there.
6 I had my hand there. I had one hand there and
7 one hand trying to steer, which was very
8 difficult. Since I had a bad back, I was
9 concerned about that.

10 Q. Did you hear Officer Sauro say anything to you
11 while you were doing this?

12 A. He was on the radio.

13 Q. My question was, did hear Officer Sauro say
14 anything to you while you were doing that?

15 A. He didn't say anything to me; he was on the
16 radio.

17 Q. Did you hear Officer Sauro say anything to you
18 while you were, as you say, pushing this car or
19 attempting to push this car?

20 A. No.

21 Q. What happened next, as far as you, in terms of
22 pushing this vehicle?

23 A. I got it to the specified place.

24 Q. Where was the specified place?

1 A. He indicated, he pointed vaguely to a spot.

2 Q. When you say "he pointed vaguely," what did
3 Officer Sauro do?

4 A. He pointed like that.

5 (Witness indicating.)

6 Q. You're flinging your arm --

7 A. "Get it over there."

8 Q. Is that what he said?

9 A. Yes.

10 Q. So you do remember him saying something else?

11 MR. FISCHER: May I, for the record,
12 suggest that your description of the
13 witness flinging her arm when she said
14 "pointed like that," or flicking her arm
15 was an inaccurate characterization.

16 MR. SILVERFINE: Is what, I'm sorry?

17 MR. FISCHER: I think when the
18 witness said, "He pointed like that," you
19 said, "You're flinging your arm." I think
20 maybe for the record, we should try to --

21 MR. SILVERFINE: I'm just observing
22 what I saw. The witness flicked --

23 THE WITNESS: I flicked my hand.

24 Q. (By Mr. Silverfine): -- your right hand in a

1 dismissive type of fashion; is that fair to
2 say?

3 A. Yes, it was.

4 Q. What else did Officer Sauro say to you during
5 this period of time? You said something about
6 him directing you some place. What did he say
7 to you?

8 A. He already directed me to a place. Aside from
9 that, he was on the radio.

10 Q. Let's step back. When did he direct you to a
11 place?

12 A. Prior to getting on the radio.

13 Q. What did he say?

14 A. I just told you.

15 Q. I had asked you earlier, and you said you
16 didn't remember anything. I'm asking you now,
17 what did he say to you about directing you to a
18 particular place?

19 A. He just vaguely pointed in a direction to put
20 the car.

21 Q. What did he say?

22 A. He said, "Move the car or it's going to be
23 towed."

24 Q. What else did he say or do at that point?

1 A. Went to the radio.

2 Q. What else did he do at that point after he got
3 on the radio?

4 A. Talked on the radio.

5 Q. What did you hear him say?

6 A. I was trying to push the car.

7 Q. You said he vaguely pointed to a spot. Where
8 was he pointing to?

9 A. A spot near him, near where his car was parked.

10 Q. What did you do as a result?

11 A. Tried to get it near there.

12 Q. What did you do?

13 A. Pushed it.

14 Q. How did you push it?

15 A. With my hand and the steering wheel trying to
16 get it at an angle, although I must preface
17 that by saying, the car was perfectly safe
18 where it was, more safe than where he was
19 telling me to put it.

20 Q. You told him this?

21 A. No. I didn't tell him that. He was the
22 policeman. He's knows where he wants it.

23 Q. As a result, what happened after you said you
24 attempted to put it in the spot that he pointed

1 to, what did you do?

2 A. I thought that I got it to the spot where he
3 was vaguely motioning to.

4 Q. What happened next?

5 A. He interrupted his conversation on the radio to
6 yell at me and say, "I didn't say there. Move
7 it. Move the car." I said, "Could you exactly
8 tell me where you want the car so that I don't
9 have to keep trying to get a car to some
10 place," and he pointed again.

11 Q. Where did he point to this time?

12 A. Like maybe a foot difference from the place
13 that the car was already sitting --

14 Q. What did you do?

15 A. -- which meant that I had to back it up, try to
16 steer a dead vehicle, which was very difficult.

17 Q. What did you do?

18 A. I tried to steer it. I had to back it up in
19 order to get it into the particular place that
20 he said. The next thing you know, I'm running
21 after the car because it started moving, and
22 I'm running beside it holding onto it.

23 Q. But, during the time period you say you were
24 running beside it, did you hear anything being

- 1 said to you by Officer Sauro?
- 2 A. Yes, I did.
- 3 Q. What did he say?
- 4 A. I did hear him say something.
- 5 Q. What did he say?
- 6 A. "I told you not to do that."
- 7 Q. What else did he say?
- 8 A. He kept saying that over and over again. I
- 9 could hear it once I fell to the ground. I
- 10 could hear it when AAA came. I could hear it
- 11 when the policemen came.
- 12 Q. When you say you could hear it, did he continue
- 13 to say that to you?
- 14 A. Yes, over and over again.
- 15 Q. What else did he say to you besides that?
- 16 A. Nothing, and I don't think he was speaking to
- 17 me anyway.
- 18 Q. When this was happening, what did you do? You
- 19 said the car was rolling?
- 20 A. I wasn't doing anything. The car had a life of
- 21 its own at that point. I was just being taken
- 22 along for the ride.
- 23 Q. Where were you when this was happening?
- 24 A. Holding onto the outside of the car. As it

1 picked up momentum, I picked up momentum
2 instead of walking. Eventually, I fell holding
3 onto the car.

4 Q. Were you inside or outside the vehicle?

5 A. Outside the car.

6 Q. Was the door open?

7 A. Yes. The door was open. That's where I was
8 standing.

9 Q. You were standing outside the car?

10 A. Yes.

11 Q. Was any part of you inside the car?

12 A. No.

13 Q. Your body was totally outside of the car?

14 A. Yes. My hand was on the bar that connects the
15 two windows.

16 Q. The car, then you say, rolled down a hill?

17 A. An embankment. It wasn't exactly a hill.

18 Q. Is there any reason why you didn't let go of
19 the car?

20 A. Aside from being totally traumatized, that this
21 car was picking up speed and I was unable to
22 hold it back, unbeknownst to me that the car
23 weighed how many thousands of pounds, thinking
24 that I could move it.

1 Q. The question was, though, was there any reason
2 why you didn't let go of the car?

3 A. That was my answer.

4 Q. Did you and Officer Sauro have any further
5 conversations, besides the conversations you've
6 described for us?

7 A. I never saw him again until today.

8 Q. So the answer is, no, you haven't had any
9 further conversations?

10 A. No, not that I can recall.

11 Q. Have you told us your best memory --

12 A. Not that I can recall.

13 Q. Have you told us your best memory as to the
14 entire conversations what was said between you
15 and Officer Sauro?

16 A. Yes. To the best of my knowledge, I think that
17 I'm fairly accurate.

18 Q. Was there a point where the car came to a stop?

19 A. Yes.

20 Q. Do you remember where the car came to a stop?

21 A. Only because I saw it in the newspaper.

22 Q. Where was that?

23 A. It was wedged between three trees or four trees
24 or a whole bunch of trees.

1 Q. In terms of where the car came to a stop, where
2 were you in relation to the car?

3 A. I had been dragged on the ground for maybe
4 15 yards or so.

5 Q. When the car stopped, where were you?

6 A. On the ground trying to breathe.

7 Q. What happened next after the car came to a
8 stop?

9 A. There were medics around me, AAA saying, "Is
10 this the lady." I can recall saying, "He told
11 me to push the car."

12 Q. I'm sorry, you can recall --

13 A. Myself saying to them, whoever was around,
14 because I couldn't see because the car had
15 thrown me to the ground, and I was going
16 "bumpety-bumpety-bump" over ice, and could not
17 breathe.

18 Q. What happened when the medics arrived, what
19 happened to you?

20 A. I was medi-vacced to the hospital.

21 Q. Which hospital?

22 A. Supposedly, I was going to University of Mass.
23 Hospital, and they found out I didn't have
24 medical insurance. So they rerouted me to

1 Boston Medical Center.

2 Q. At the time, you did not have medical
3 insurance?

4 A. No. As a general rule, people in private
5 practice --

6 MR. FISCHER: Just answer the
7 question. The question was, "At the time,
8 did you have medical insurance?"

9 THE WITNESS: No.

10 Q. (By Mr. Silverfine): Do you currently have
11 medical insurance?

12 A. No, I don't.

13 Q. At the time you didn't have medical insurance,
14 how were -- strike that. You said you were
15 taken to Boston City Hospital?

16 A. I didn't know it was Boston City Hospital. I
17 thought it was Boston Medical Center.

18 Q. I'm just going on what you told me?

19 A. I didn't say that.

20 Q. Where did you go to?

21 A. Boston Medical Center is what they said.

22 Q. How long were you at Boston Medical Center?

23 A. I left the next morning with my daughter
24 against medical advice.

1 MR. FISCHER: Objection.

2 Q. (By Mr. Silverfine): What did you see him do
3 next?

4 A. I didn't even say that.

5 Q. I'm not trying to trick you. Mr. Fischer can
6 talk to you. I'm just asking you what
7 observations you made of Sergeant Sauro outside
8 of his vehicle?

9 A. Every time I try to tell you, you stop me.

10 MR. FISCHER: Perhaps if I net the
11 basis of my objection, clarify it. As I
12 understand, the witness' testimony is that
13 she first saw Sergeant Sauro when he was
14 next to her. You're framing the question
15 in a way that implies she saw
16 Sergeant Sauro come from the vehicle to
17 her or that she saw him get out of the
18 vehicle. That's the nature of my
19 objection. I think that's the difficulty.

20 Q. (By Mr. Silverfine): What did you see
21 Sergeant Sauro do outside of his vehicle, not
22 while in his vehicle, but outside his vehicle?

23 MR. FISCHER: Same objection.

24 THE WITNESS: In no way did he ever

1 see me sitting in the car.

2 MR. FISCHER: Just answer the
3 question.

4 THE WITNESS: He came flying --

5 MR. FISCHER: Listen to what the
6 question is and answer the question.

7 Q. (By Mr. Silverfine): What did you see
8 Sergeant Sauro do when he was outside his
9 vehicle?

10 A. Can I talk now. He came flying by me not even
11 stopping -- is this clear -- flying by me. I'm
12 trying to explain that my car has broken down,
13 I called for AAA, blah, blah, blah. He's not
14 even looking at me, not even acknowledging my
15 existence. He goes directly to my car, opens
16 the door, picks up my phone, "Here's your
17 phone. Move the car or it's going to be
18 towed," he's back in his car. That's how I saw
19 him. I saw a -- I could not even tell you what
20 he looked like.

21 Q. Did you see him outside of his vehicle any
22 other time besides the description you've just
23 given us?

24 A. No.

1 Q. That's the only time you saw Sergeant Sauro
2 outside of his cruiser?

3 A. He was outside of his cruiser the entire time.

4 Q. What else was he doing outside of his cruiser?

5 A. On his radio. He had it in his hand.

6 Q. Did he have a portable radio or a car radio?

7 A. He had something in his hand. I don't know
8 whether it was attached or whatever.

9 Q. What was he doing when he was outside his
10 vehicle with his radio?

11 A. Standing.

12 Q. What else was he doing besides standing?

13 A. In the road, like the traffic. There was no
14 traffic.

15 Q. There was no traffic?

16 A. None, no traffic.

17 (Witness drawing on diagram.)

18 MR. SILVERFINE: Excuse me. I would
19 prefer you not. I'm going to ask you to
20 do this whole thing over again, and we'll
21 be here all day. I'm not tricking you.
22 I'm just asking you questions.

23 MR. FISCHER: Let me take a minute.

24 (Short break taken.)

1 Q. (By Mr. Silverfine): You've had an opportunity
2 to talk to your counsel?

3 A. Yes.

4 Q. How long a time period do you recall
5 Sergeant Sauro being present prior to you
6 getting in the vehicle in an attempt to move
7 it?

8 A. How long was he present?

9 Q. Right?

10 A. No more than 10 minutes.

11 Q. During that time period, what observations did
12 you make of Sergeant Sauro?

13 A. Walking by me, going to my car, opening the car
14 door, picking up my phone, going to the front
15 of my car, telling me I had to move it or it's
16 going to be towed. I had a little bit of
17 discussion how can I do this, blah, blah, blah.

18 Q. Let's stop you there. What is the discussion
19 at that point in time that you had with
20 Sergeant Sauro?

21 A. How am I supposed move the car? If I could
22 move it, it would be gone.

23 Q. What did he say?

24 A. He said, "You can move it. It just won't have

1 power steering."

2 Q. What did you say?

3 A. I didn't say anything.

4 Q. What else did you observe at that point?

5 A. He walked back to his vehicle, reached in the
6 car, pulled out a radio. I don't know if it
7 was attached to anything, and proceeded --
8 which I assumed, which may be incorrect, was
9 calling a tow truck -- and kept talking.

10 Q. He is outside of his vehicle during this period
11 of time?

12 A. Standing there, facing this way.

13 Q. Facing southbound?

14 A. Yes.

15 Q. You are still outside your vehicle in the back
16 right?

17 A. Yes.

18 Q. At what point --

19 A. In my view, as I went around --

20 MR. FISCHER: Just wait for the
21 question and just answer the question.

22 Q. (By Mr. Silverfine): At what point did you get
23 into your vehicle after he went back to his
24 cruiser to pick up what you believe to be --

1 A. I didn't really get in, like I said. I opened
2 the car door, I sat down. I didn't even put my
3 feet in. I think -- I don't know why I got in
4 the car, but I think I was going to release
5 something, which there was nothing to release.

6 Q. Did you do anything to the steering wheel, to
7 the ignition, to --

8 A. No. I think I tried to start it, I guess,
9 wishful thinking.

10 Q. Did you do anything to the gears at that point?

11 A. No. It's automatic.

12 Q. What did you do in your attempt to move the
13 vehicle?

14 A. Put it in neutral.

15 Q. What happened when you put it into neutral?

16 A. Nothing. I got out.

17 Q. The car just stayed still?

18 A. Yes.

19 Q. As a result of that, what did you do?

20 A. I got out, tried to assess the situation as
21 quickly as possible because I thought my car
22 was going to be towed, and I just went into
23 automatic drive and started pushing until I
24 ended up right in front.

1 Q. All right. Where is Sergeant Sauro during this
2 time?

3 A. He has not moved. He is standing right there
4 on that radio the entire time.

5 Q. Your car, when it first went into neutral,
6 stayed put; is that your testimony, right?

7 A. Yes.

8 Q. You then, just so I'm clear, started to push it
9 with that section between the front and the
10 back?

11 A. Yes, push it back toward him.

12 Q. What else did you do at that point, if you
13 recall, as you're pushing it?

14 A. I cut the wheel because I had to take it out
15 of -- because I was in further than he was. So
16 I had to cut the wheel so that it would come
17 out a little bit and then try to push it toward
18 him. I thought he wanted it there.

19 Q. When you say "him," who are you referring to?

20 A. Sergeant Sauro.

21 Q. What, if anything, did Sergeant Sauro do, to
22 the best of your memory, when you were doing
23 this?

24 A. No acknowledgment whatsoever.

1 Q. He didn't say anything to you at that point?

2 A. He was on his radio.

3 Q. What else did you do during this period of time
4 after you say you pushed it toward him?

5 A. I stopped.

6 Q. What happened next?

7 A. He took the radio away from his mouth. He
8 said, "That's not where I said to put it. Move
9 it."

10 Q. What did you do?

11 A. I said, "Move it where? Could you please tell
12 me where you want me to put it so I don't have
13 to keep trying to push this car."

14 Q. What did he say?

15 A. He vaguely pointed to a place, and I said,
16 "Please tell me where you want it."

17 Q. What did he say?

18 A. He just pointed, there.

19 Q. What did you do as a result of that?

20 A. Continued pushing. I had to push it back.

21 Q. When you say "back" --

22 A. Away from him.

23 Q. So you're now heading in the eastbound
24 direction?

1 A. A tiny bit, just a tiny bit.

2 Q. So you're now pushing in a different direction
3 towards eastbound?

4 A. Yes, away from his car so I could move it.

5 Q. What happened next?

6 A. I cut the wheel.

7 Q. Which way did you cut the wheel?

8 A. I don't remember. I think I cut the wheel so I
9 could get it to just have some maneuver room.

10 So I caught the wheel, and I think the car went
11 out a little bit. Then I tried to straighten
12 the wheel and push it to where he wanted it,
13 which I still wasn't quite clear, and it hit
14 something here.

15 Q. You're pointing to the driveway?

16 A. Yes.

17 Q. It hit something in the driveway --

18 A. I don't know if it was the driveway or here,
19 just before the driveway.

20 Q. You say it hit something in the road?

21 A. No, no.

22 Q. What did it hit, as best as you can remember?

23 A. The word "hit" is not maybe the correct word.

24 Q. You tell me what --

1 A. It positioned itself near that spot.

2 Q. What happened when it positioned itself --

3 A. The next thing I know, it started gaining
4 momentum.

5 Q. What did you do as a result of that?

6 A. Went on with it. I think I was trying to stop
7 it.

8 Q. How were you doing that?

9 A. Like pulling, trying to stop it.

10 Q. When you say "pulling," --

11 A. Holding it back from moving.

12 Q. Holding the car back?

13 A. Yes.

14 Q. You didn't hit the brakes or anything like
15 that?

16 A. How could I hit the brakes; I was outside.

17 Q. I'm just asking. When you say holding it back,
18 holding this car back?

19 A. Yes.

20 Q. What was Sergeant Sauro doing during this
21 period of time?

22 A. Nothing.

23 Q. When you say "nothing" --

24 A. He was on his radio.

1 Q. Again, standing outside the vehicle?

2 A. Yes.

3 Q. Anything else you remember about Sergeant Sauro
4 doing at that point or saying at that point?

5 A. He was on his radio. To him, I just seemed
6 like I was non-existent until the car started
7 picking up speed, and I had to run to keep up
8 with the car.

9 Q. What happened at that point, did you hear or
10 see Sergeant Sauro do?

11 A. Not until I was right down here.

12 Q. What did you hear or see Sergeant Sauro do?

13 A. By that time, I was on the ground, being banged
14 on the ground as the car dragged me.

15 Q. Try to answer my question. I'm not trying to
16 trick you. What did you see or hear
17 Sergeant Sauro do once you were down there --

18 A. I'm going to tell you.

19 MR. FISCHER: Listen to the question.

20 THE WITNESS: He wants to know what
21 Sergeant Sauro did.

22 MR. FISCHER: What did Sergeant Sauro
23 do?

24 THE WITNESS: He did nothing.

1 Q. (By Mr. Silverfine): Did he remain at the car?

2 A. Yes. He did not move.

3 Q. The entire time, including the time you're down
4 at the bottom of the hill --

5 A. Did not move.

6 Q. Wait for my question, please. Sergeant Sauro
7 remained by his car?

8 A. With the radio in his hand.

9 Q. So even when you said emergency personnel
10 arrived, he remained at the top of the hill --

11 A. At that point, I don't know.

12 Q. That's what I'm asking. Did he remain at his
13 car, at his cruiser, at all times?

14 A. At that point, I couldn't see him. I was face
15 down, as you can see from the picture. I was
16 face down on the ice.

17 Q. Let's just try my question, if you could.

18 We'll get to it. My question is, did
19 Sergeant Sauro move at all from the position
20 you have him next to his cruiser at any time
21 you were there?

22 A. It was too late by then.

23 MR. FISCHER: Just listen. Focus on
24 the question and answer the question and

1 don't worry about what is not included in
2 the question. Just answer the question.

3 THE WITNESS: He did not move. He
4 started to yell.

5 Q. (By Mr. Silverfine): During the entire time
6 period that you recall, other than the
7 description of him coming to the passenger side
8 and going back, he didn't move from his
9 cruiser?

10 A. No. He was talking on the radio.

11 Q. You said he was yelling. What was he yelling
12 at you at a later point in time?

13 A. "I told you not to do that."

14 Q. Anything else?

15 A. No. He kept repeating it over and over again.
16 "I told you not to do that. I told you not to
17 do that."

18 Q. Where was he when he was yelling this in
19 relation to where you were?

20 A. From my perception of hearing, he didn't move
21 because it was getting further away as I was
22 getting further away.

23 Q. In terms of his yelling, his yelling began
24 earlier than when you --